

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554

APR 6 - 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In re Applications of	)	MM No. <u>93-41</u>
	)	
TRIAD FAMILY NETWORK, INC.	)	BPED-910227MD
Winston-Salem, North Carolina	)	
Channel 207C3	)	
	)	
POSITIVE ALTERNATIVE RADIO, INC.	)	BPED-911119MC
Asheboro, North Carolina	)	
Channel 207A	)	
	)	
For Construction Permit for a	)	
New Noncommercial Educational	)	
FM Station	)	

TO: Administrative Law Judge  
Joseph P. Gonzalez

**PETITION FOR LEAVE TO  
MODIFY PENDING AMENDMENT**

Positive Alternative Radio, Inc. ("Radio") has pending before the Presiding Judge a Petition for Leave to Amend its application in order to change site. There has recently been brought to the attention of Radio's consulting engineer a minor discrepancy in the pending amendment. This pleading seeks leave of the Presiding Judge to correct that discrepancy.

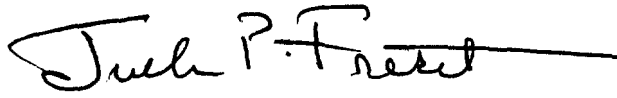
Initially it should be noted that the corrected proposal will result in no change of issues in this proceeding, will provide no comparative advantage to either party, and will not change the contours, or areas and populations to be served by Radio.

Reasons for this corrective change are as follows: upon constructive loss of its original site, Radio tendered an amendment proposing to mount its FM antenna on an existing tower of WZOO(AM), the geographical coordinates of which are 35-45-50 N and 79-50-04 W. These coordinates were specified in Radio's amendment; however, in locating the WZOO antenna on its topographical map, Radio's engineer drew the site designator 03 seconds to the east, where the site height above mean sea level is 3 meters below that of the specified tower. This was brought to Radio's attention

. . .no applicant has a vested interest in the disqualification of a competing applicant. Azalea Corp., 31 FCC 2d 561 (1971).

Respectfully submitted,

POSITIVE ALTERNATIVE RADIO, INC.

By   
Julian P. Freret  
Its Counsel

BOOTH, FRERET & IMLAY  
1233 20th Street, N. W.  
Suite 204  
Washington, D. C. 20036  
(202) 296-9100

April 6, 1993

ORIGINAL  
PETER V. GURECKIS & ASSOCIATES  
RECEIVED

APR 6 - 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

ENGINEERING EXHIBIT EE-5

POSITIVE ALTERNATIVE RADIO, INC.  
ASHEBORO, NORTH CAROLINA

APRIL 1993

**PETER V. GURECKIS & ASSOCIATES**

I, PETER V. GURECKIS, certify that I am a Consulting Radio Engineer, that my qualifications are known to the Federal Communications Commission and that my firm has been retained by POSITIVE ALTERNATIVE RADIO, INC., Asheboro, North Carolina, to prepare this statement.

I further state that the calculations and exhibits contained herein were prepared by me personally or under my direction and that all facts contained therein are true of my knowledge except where stated to be on information or belief, and as to those facts, I believe them to be true.



---

PETER V. GURECKIS  
PETER V. GURECKIS & ASSOCIATES

DATE: APRIL 3, 1993

# **PETER V. GURECKIS & ASSOCIATES**

## **ENGINEERING STATEMENT**

### **POSITIVE ALTERNATIVE RADIO, INC.** **ASHEBORO, NORTH CAROLINA**

This Engineering Amendment has been prepared on behalf of POSITIVE ALTERNATIVE RADIO, INC., who now has on file an application requesting a non-commercial FM broadcast station to operate on Channel 207A with an effective radiated power of 2.5 KW at Asheboro, North Carolina (File No. BPED-91119MC).

The purpose of this amendment is to amend the Engineering Application dated February, 1993 in which a new antenna site was proposed. Inadvertently, the #2 Tower of Station WZOO was plotted incorrectly on the quadrangle map due to a plotting error.

With Tower #2 plotted at the correct location on Figure 1, a Topographic Map, the ground elevation above sea level is now 650 feet or 198 meters. One Hundred Ninety-eight (198) meters is being used since the U.S. Topographic Map shows this value for WZOO's #2 Tower. Further, an examination of Figure 1, the Topographic Map, the highest ground elevation above mean sea level is 660 feet or 201 meters in the immediate area of the site. There is no ground elevation of 700 feet or 213 meters in the immediate area of WZOO's #2 Tower. However, there is a ground elevation of 700 feet AMSL at approximately 1600 feet to the northeast from the WZOO #2 Tower. Thus, the Topographic Map value is being used as the most reliable data for determining the elevation of WZOO's #2 Tower site above mean sea level.

# PETER V. GURECKIS & ASSOCIATES

## ENGINEERING STATEMENT POSITIVE ALTERNATIVE RADIO, INC. - ASHEBORO, NORTH CAROLINA CONTINUED - PAGE 2

---

The FM antenna now proposed at the WZOO tower site is the same antenna proposed in the original application. The Commission did not request any additional data at that time. However, the antenna will be side-mounted on the support structure as specified by the manufacturer.

The antenna will not be mounted on the top of a tower which includes a top-mounted platform larger than the nominal cross-section area of the tower in the horizontal plane.

No other antennas of any type will be mounted on the same tower level as the proposed directional antenna and no antennas of any type will be mounted within any horizontal or vertical distance specified by the manufacturer as be necessary for proper operation of the proposed directional antenna.

A licensed surveyor will be employed to check the FM antenna orientation which will be filed in the 302 application.

Attached are revised Page 2 of Section V-B to correct certain height figures, Figure 1, a Topographic Map to correct the location of the proposed site and Figure 7, a Tower Sketch to correct certain height figures. There are no other changes to the proposed application dated February, 1993.

4. Does the application propose to correct previous site coordinates?

☐ Yes ☒ No

If Yes, list old coordinates.

Latitude	0	'	"	Longitude	0	'	"
----------	---	---	---	-----------	---	---	---

5. Has the FAA been notified of the proposed construction?

☐ Yes ☒ No

If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available. EXISTING TOWER OF STATION WZOO (AM).

Exhibit No.  
N/A

Date \_\_\_\_\_ Office where filed \_\_\_\_\_

6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to nearest point of the nearest runway.

Landing Area	Distance (km)	Bearing (degrees True)
--------------	---------------	------------------------



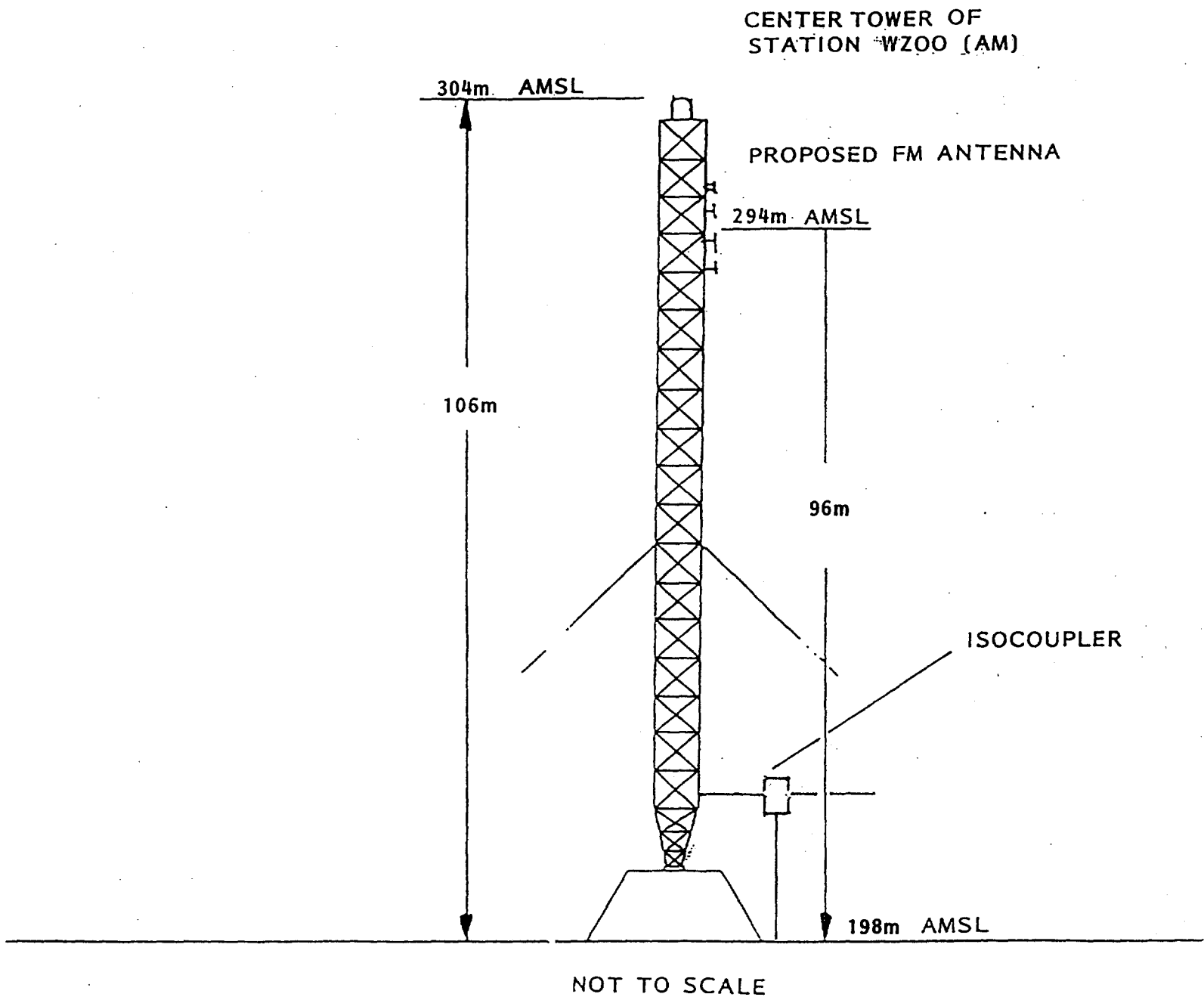


FIGURE 7

TOWER SKETCH

P.A.R., INC.  
ASHEBORO, N.C.

Peter V. Gureckis & Assoc.  
Consulting Radio Engineers  
Potomac, MD

**CERTIFICATE OF SERVICE**

I, Margaret A. Ford, Office Manager of the law firm of Booth, Freret & Imlay, do hereby certify that copies of the foregoing PETITION FOR LEAVE TO MODIFY PENDING AMENDMENT were mailed this 6th day of April, 1993, to the offices of the following:

\*Administrative Law Judge  
Joseph P. Gonzalez  
Federal Communications Commission  
2000 L Street, N. W., Room 221  
Washington, D. C. 20554

\*Norman Goldstein, Esquire  
Hearing Branch, Enforcement Division  
Mass Media Bureau  
Federal Communications Commission  
2025 M Street, N. W., Room 7212  
Washington, D. C. 20554

\*Chief, Data Management Staff  
Audio Services Division  
Mass Media Bureau  
Federal Communications Commission  
1919 M Street, N. W., Room 350  
Washington, D. C. 20554

B. Jay Baraff, Esquire  
Baraff, Koerner, Olender  
& Hochberg, P.C.  
5335 Wisconsin Avenue, N. W.  
Suite 300  
Washington, D. C. 20015-2003

  
Margaret A. Ford

\* Via Hand Delivery

